

File #27098

**STATE OF MINNESOTA
DEPARTMENT OF COMMERCE**

In the Matter of
Concord International Title
and
Continental Property Solutions

CEASE AND DESIST ORDER

TO: Concord International Title
60 East 4th Street
St. Paul MN 55101

Alleged Email Address: info@concordinternationaltitle.com

Continental Property Solutions
110 Poplar Avenue
Memphis TN 38105

Minnesota law prohibits any person from acting or holding himself, herself or itself out as real estate licensees without a valid real estate license issued by the Commissioner of Commerce ("Commissioner") as required by Minn. Stat. §82.81, subd. 1 (2012). Minnesota law further prohibits any person from offering or selling an interest in subdivided land in this state unless the interest is registered pursuant to Minn. Stat. §83.23 subd. 1 (2012) or the transaction is exempt from registration pursuant to Minn. Stat. §83.25 (2012). Additionally, Minnesota law prohibits the advertising of properties in any manner that is misleading or inaccurate and the making of any material misrepresentations pursuant to Minn. Stat. §§82.81 subd. 12(8) (9) and 325F.67 (2012).

1. Respondent Continental Property Solutions ("CPS") does not hold a license issued by the Minnesota Department of Commerce ("Department"). According to timeshare

membership property owners who received documentation from CPS and were contacted by individuals purporting to represent CPS, that CPS does business at 110 Poplar Avenue Memphis, Tennessee 38105. However, the Department has determined that CPS is not at that address and its telephone numbers have been disconnected.

2. Respondent Concord International Title ("Concord") does not hold a license issued by the Department. According to timeshare membership property owners who received documentation from Concord and were contacted by individuals purporting to represent Concord, Concord does business at 60 East 4th Street St. Paul Minnesota 55101. A Department investigator attempted to visit that address, but the address at 60 East 4th Street does not exist.

3. In March 2013, the Department opened an investigation of Concord after receiving information from the Better Business Bureau of Minnesota and North Dakota ("BBB"). The BBB had received a complaint from J.S., an individual residing in Pennsylvania. J.S. was contacted by CPS in connection with the sale of his membership timeshare property. J.S. was told the funds would be held in escrow by Concord. J.S. wired approximately \$19,616 (six separate wires) to a bank in Mexico (Banco Nacional de Mexico) for taxes, attorney fees, closings etc. The beneficiary of the funds was Punto Vacacional S.A. de C.V. at Miramar 23 Col. Vista del Mar C.P. 45013.

4. Concord's website claims it can set up and manage escrow accounts as well as assist in setting up legal structures that are suited to facilitate fractional ownership products and provide consumers with a wide range of benefits. The Concord website lists an address at 60 E 4th Street, St Paul, "Minnessota" 55101. *Minnesota* is misspelled in several places on their website. Concord's website is almost identical to the website of another title company

advertising timeshare transfers (World Transfer Title using an address of 7015 4th Avenue Minneapolis Minnesota). On Concord's website, Minnesota is misspelled, whereas on the website for World Transfer Title, Minneapolis is misspelled. Both websites use the same stock photos and claim to manage over £3.3bn worth of property assets, work with over 380 resorts and leisure real estate developments and provide services to over 810,000 consumers worldwide.

5. The Registrant contact information for the Concord website is for an individual located in Puerto Vallarta Jalisco Mexico, and indicates that the website was created on December 13, 2012. The websites for both Concord and CPS are no longer active.

6. On March 22, 2013, the Department made several attempts using the U.S. mail and email to contact Concord to obtain information. Email sent by the Department to Concord did not bounce back. The request sent to Concord by U.S. mail was returned as "Return to Sender No Such Number." Concord has failed to respond to the Department's demands for information.

7. Concord has conducted business within Minnesota without making legally required business filings with the Minnesota Secretary of State pursuant to Minn. Stat. Ch. 302A or Ch. 303.

8. CPS has not filed any legally required business filings with the Tennessee Secretary of State.

9. At least one complaint has been filed against Concord and CPS from an individual residing in Pennsylvania with the Federal Trade Commission ("FTC") as well as the BBB.

10. CPS has engaged in unlicensed real estate sales activity in violation of Minn. Stat. §82.81 subd. 1 (2012).

11. Concord has engaged in unlicensed insurance producer activity by acting as a title company in violation of Minn. Stat. §60K.32 (2012).

12. Concord and CPS have engaged in misleading and inaccurate advertising in violation of Minn. Stat. §82.81 subd. 12 (8) and §325F.67 (2012).

13. CPS and Concord have made material misrepresentations in violation of Minn. Stat. §82.81 subd. 12 (9) (2012).

14. CPS and Concord have demonstrated untrustworthiness in violation of Minn. Stat. §82.82 subd 1(f) and 45.027 subd. 4 (2012).

This Order is in the public interest.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minn. Stat. §45.027 subd. 5a (2012) that CPS and Concord shall cease and desist from engaging in fraudulent activity and unlicensed activity of any kind in violation of Minn. Stat. Ch. 60K and 82. This Order is effective immediately.

Pursuant to Minn. Stat. §45.027 subd. 5a, CPS and Concord may request a hearing in this matter. Such a request shall be made in writing and served upon the Commissioner. The Commissioner shall then set a date for hearing within 10 days after receipt of a request, unless CPS or Concord and the Department by agreement waive the 10-day time period. If no hearing is requested by CPS or Concord within thirty (30) days of service of this Order and none is ordered by the Commissioner, this Order will become permanent and will remain in effect until modified or vacated by the Commissioner.

In the event a hearing is requested, this Order will remain in effect until it is modified or vacated or made permanent by further order of the Commissioner under Minn. Stat. §45.027 subd 5a (2012). The administrative proceeding provided by Minn. Stat. §45.027 subd. 5a and subsequent appellate judicial review of that administrative proceeding, constitutes the exclusive remedy for determining whether the Commissioner properly issued this Order and whether this Order should be made permanent. The Commissioner reserves the right to seek appropriate remedies including fines, civil penalties and costs associated with our investigation of this matter.

Notwithstanding Minn. Stat. §45.027 subds. 5 or 5a (2012), if CPS or Concord requests a hearing under Minn. Stat. §45.027 subd. 5a, CPS or Concord may, within fifteen (15) days after service of this Order, bring an action in Ramsey County District Court for an injunction to suspend enforcement of this Order pending a final decision of the Commissioner under Minn. Stat. §45.027 subd. 5a (2012), to vacate or make permanent this Order. The Court shall determine whether to issue such an injunction based on traditional principles of temporary relief.

In the event a hearing is requested in this matter, it will be held before an Administrative Law Judge to be appointed by the Chief Administrative Law Judge for the State of Minnesota, Office of Administrative Hearings, Harold E. Stassen Office Building, State Capitol Complex, 600 North Robert Street, St. Paul, Minnesota 55146. All parties have the right to represent themselves or be represented throughout the proceedings herein by legal counsel or a person of their choice if not otherwise prohibited as the unauthorized practice of law.

The contested case proceedings are conducted under the Minnesota Rules of Professional Conduct and the Professional Aspirations adopted by the Minnesota State Bar Association. The hearing will be conducted under the contested case procedures as prescribed in accordance with Minn. Stat. Ch. 14 and the Rules of the Office of Administrative Hearings, Minn. R. 1400.5100-1400.8401 (2011).

This Order shall be effective upon signature on behalf of the Commissioner.

Dated: 5-28-13.

By: 
MIKE ROTHMAN
Commissioner

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St. Paul, Minnesota 55101
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